



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Wednesday, the Twenty Eighth day of October Two Thousand Fifteen

PRESENT

WEB COPY

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.9959 of 2015

1 SIVAKUMAR

2 P. DHARMALINGAM

3 SELVI

... PETITIONERS/ACCUSED NO.1,2,3

Vs

STATE REP BY THE INSPECTOR OF POLICE
MANAMADURAI ALL WOMEN POLICE STATION,
SIVAGANGAI DIST, CRIME NO.26 OF 2015

... RESPONDENT/COMPLAINANT

K.YOGESHWARI

...INTERVENOR

For Petitioner : M/S.C.PRABHAKARAN Advocate

For Respondent : MRS.S.PRABHA Govt. Advocate (Crl. Side)

For Intervenor : MR.N.ANANDA KUMAR

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

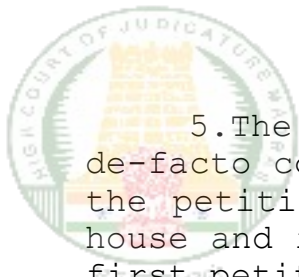
ORDER : The Court Made the following order :-

The petitioners, who are arrayed as A1 to A3, apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 498(A), 406 and 506(i) of I.P.C., r/w 4 of Women Harassment Act, in Crime No.26 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2.The case of the prosecution is that the first accused married the de-facto complainant on 08.09.2013 and at the time of marriage, she was provided with 20 sovereign of gold jewels and utensils worth about Rs.2 lakhs and thereafter, all the accused have harassed the de-facto complainant demanding additional jewels and Rs.1 lakh.

3.The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case and it is further submitted that the de-facto complainant is suffering from illness and she is under constant treatment.

4.The learned counsel for the intervenor opposed the bail petition stating that the accused have withhold 5 sovereign of gold jewels and other household articles and hence, they are not entitled for anticipatory bail.



5. The learned counsel for the petitioners submitted that the de-facto complainant and his family members have locked the house of the petitioners and they are not allowing them to enter into their house and if the de-facto complainant recovers from her illness, the first petitioner is willing for reunion.

WEB COPY

6. Heard the learned Government Advocate (Crl.side) appearing for the State.

7. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

8. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Manamadurai and on each of them executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the first petitioner shall appear before the respondent police daily at 10.00 a.m., until further orders and the petitioners No. 2 and 3 shall appear before the respondent police as and when required for interrogation. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

9. The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
28/10/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE JUDICIAL MAGISTRATE, MANAMADURAI
- 2 THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI
- 3 THE INSPECTOR OF POLICE
MANAMADURAI ALL WOMEN POLICE STATION, SIVAGANGAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
- +1. CC to M/S.C.PRABHAKARAN Advocate SR.No.62866

ORDER
IN
CRL OP (MD) No.9959 of 2015
Date : 28/10/2015